April/May 2003
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INSIDE

NCURA Premieres New Online Education Program June 12, 2003. Stay tuned!

ncura newsletter

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This Meeting Will Give You a Tingle

by Patrick Fitzgerald

It's NCURA's annual meeting and it will be held on November 3-5, 2003. This year is the 45th Annual Meeting and the program committee is working feverishly to make sure that 2003 is one of the best annual meetings ever. Mark you calendars—you don't want to miss this one!

The hallmark of NCURA is the high quality of our programs and Annual Meeting 2003 will have an exceptional program. Our conference theme is "Connecting Our Neighborhoods, Building the NCURA Community." The program tracks will correspond to the six NCURA Neighborhoods: Pre-award, FRA, ERA, Compliance, Departmental Administration and PUI. A wide array of sessions on timely and informative topics will enable members to learn more about their "Neighborhood" and

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The Impact of War on the Federal Research Budget

by John O'Neil

There are two main impacts of war on the Federal research budget: The direct reprogramming of defense research dollars (S&T) for technology development (development), readiness and materiel acquisition; and the increased competitive pressure on federal discretionary dollars, making federal support of all types of research more challenging.

Direct reprogramming of defense research funding

If we look at the FY 2003 federal R&D budget authority, we see that funding for Defense S&T

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Call for Nominations/Awards

2003 NCURA Awards' Nominations Being Accepted

Check out the NCURA Nominating & Leadership Development Committee's (N&LDC) new Awards Page at http://www.ncura.edu/awards/ and learn how you can nominate an individual or self-nominate for one of the following NCURA Awards:

- Outstanding Achievement in Research Administration
- Catherine Core Minority Travel Award
- Distinguished Service Award
- Joseph Carrabino Award

Professional Development Committee, Financial Management Committee and Nominating and Leadership Development Committee: Nominations Being Accepted

If you would like to become more active in NCURA, please consider volunteering for one of NCURA's committees. The Professional Development Committee (2 members and chair), Financial Management Committee (2 members) and Nominating & Leadership Development Committee (members from Regions I, IV, & V and chair) will have openings for two-year terms beginning January 1, 2004. If you would like to volunteer or know someone you would like to nominate, click http://www.ncura.edu/members/positions for the information on the committees and the descriptions of the available positions.

NCURA Nominations Being Accepted for Vice President/President-elect, Secretary, Treasurer-elect and NCURA Board of Directors

The Nominating and Leadership Development Committee (N&LDC) invites all members of NCURA to participate in the process of selecting key members of the national leadership team by nominating (or self-nominating) individuals with the skills, abilities and willingness to serve the organization.

Volunteering in your professional organization is an enriching experience. When you give your time and talent to your professional organization you have the opportunity to assist others, grow professionally, expand your network of colleagues and advance your career. Please take a few moments to read about these volunteer opportunities and then seriously consider becoming more involved in your profession through NCURA.

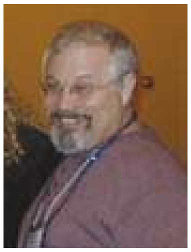
An individual may self-nominate by providing their vitae and a brief statement (no more than 2 pages) indicating why they wish to serve and outlining their goals and objectives. All nominations and supporting materials from the nominees must be received electronically on or before June 2, 2003. Please email nominations to: nominations@ncura.edu.

NCURA is committed to achieving diversity of all kinds in its appointments, including experience levels, geographic area, institutional type, gender, and ethnicity, and we encourage ALL interested members to become involved.

To find out more about these positions and how to nominate a colleague or submit a self-nomination, visit http://www.ncura.edu/members/positions

The President's Corner

by Bob Killoren, NCURA President



During the spring cycle of regional meetings, I have had the pleasure to meet with NCURA members all over the country, in a more peaceful environment (for me at least) than the mad rush of the annual meeting. This is a good thing… it keeps the President informed about what is happening in all the regions and it gives the people in the regions a little better picture of what is going on with the national organization.

It's funny, just now, as I wrote the word "organization," I had the flash-insight that NCURA is becoming more than just an organization for me, and I suspect the same is true for many of you. NCURA really is a community I belong to and maybe even something more – a family.

Maybe that's just because I've been going to meetings for so long that getting together in the fall at the national meeting and in the spring at the regional meeting is like a homecoming. But if it is just the long association that gives the sense of community, then why do new members and first time meeting attendees always remark to me how at home they feel at their first meeting and how welcoming NCURA's members are to them? No, I think we are achieving what nearly every organization around the country would envy… we are a community; we are a family.

I don't think this is an accident. I think community and family "happens" when people care about one another, when they share and communicate with one another about problems and successes, when they really work hard to be "present" to and "real" with one another. I think the concept of NCURA neighborhoods fosters this, I think NCURA leadership encourages this, and I think our NCURA staff "lives" it.

HOW IS OUR NCURA COMMUNITY DOING?

Financial Security

One essential ingredient in any healthy community or family is freedom from money worries and having enough to take care of new needs and emergencies. The same is true for NCURA. Despite the trying times we've had for the past couple years, we are doing quite well. Last year we ended completely in the black. We had a number of highly successful programs that helped us achieve one of the goals of our original strategic plan from five years ago – "NCURA will have sufficient non-dues revenue to respond quickly and creatively to opportunities."
We've done that!

This was an important goal – to relieve us from the burden of being totally dependent on dues or the annual meeting for financial stability. We decided some years ago to diversify our revenue stream and have done so over the past several years quite successfully. With that achievement in hand, the Board revisited this goal and revised it to simply say, "NCURA will maintain its financial strength and integrity."

The Board went on to explain: "The financial stability of our organization will ensure continuity and flexibility in delivering the programs, communications, and services to our members. Opportunities to increase non-dues revenues should be a constant focus of the organization. Financial stability also includes the ability of our regions to maintain and follow sound business practices in the management of their programs and funds. NCURA's ability to maintain adequate reserves will ensure it can respond quickly to the changing needs of our members."

Programming

A good family/community wants to provide not only for financial well-being but also for the educational needs of its members – so that each and every member can reach fulfillment. NCURA continues to be recognized for its educational leadership in the field of research administration. Another of our strategic goals, as reworked at the January 2003 Board meeting, is to be "the leading source for

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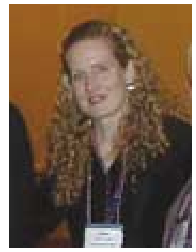
FRA IV – Another Success for NCURA

by Gunta J. Liders



The FRA IV conference held on February 16-18 in New Orleans indeed proved that research administrators are resilient and ready to take on a challenge. Despite the fact that the conference fell on what was later termed the snow "storm of the century" for the Mid-Atlantic, the conference was deemed to be a huge success as evidenced by the 660 meeting registrants and the overwhelmingly positive program evaluations that were returned to the NCURA National Office.

Part of the meeting's success can be attributed to the fact that this FRA conference was held in cooperation with the National Conference on College Cost Accounting (NACCA), and included an additional concurrent session track and numerous discussion groups devoted to costing issues. Costing professionals were able to attend educational offerings aimed at their needs, yet also able to take the opportunity to learn from compliance, transactional, departmental and hot topics sessions while broadening the scope of their perspective and understanding. In return, financial research administrators were able to attend an enhanced program that afforded the chance to learn more about the issues critical to those who develop and negotiate F&A rates at their home institutions. NCURA hopes that this valuable partnership will continue to grow and strengthen, as the positive benefits are numerous for both organizations.

Other factors that contributed to an outstanding meeting were the breadth of session offerings and the expertise of the presenters and panelists. As noted from one typical evaluation: "you could learn departmental, compliance, central issues – all were covered in each time slot." Or, as exemplified by another comment: "speakers were great, very knowledgeable about the subject and very timely on current issues."

This year's meeting offered primers for the first time at an FRA conference and these were very well received. One attendee put it this way: "great overviews for new folks working in grants management. I attended most of the primer groups, and found them to be very informative."

Finally, most attendees found the interaction with other universities and organizations to be very worthwhile. Several registrants echoed these comments: "excellent meeting for networking" and "I liked interacting with other educational institutions to hear different policies and practices."

Special note should also be given to the faculty of the five workshops that were held on Sunday on issues ranging from managing the daily hurdles of accounting for sponsored projects to the basics of determining an F&A rate. The evaluations for these workshops were uniformly excellent, and attendance was high despite the opportunities for playing in New Orleans.

And finally, a special thank you to the panelists and presenters that were willing to step in for their colleagues that were stranded in the Mid-Atlantic States. Once again, I was impressed with the willingness of the NCURA membership to help wherever help was necessary, and to quickly pull together a quality program. Thank you to all that helped to make this conference a success. We look forward to next year's FRA V – and may the travel be easier!

Gunta Liders, served as FRA IV Program Chair and is the Director, Office of Research and Projects Administration, University of Rochester

THE IMPACT OF PRIVATIZING GOVERNMENT ACTIVITIES AND FEDERAL WORKFORCE REDUCTIONS

Capital View *by Tony DeCrappeo*

We all are familiar with the Office of Management and Budget Circulars that provide the framework for administration of and cost recovery on federal research awards – in particular Circulars A-21 and A-110. However, a less well-known Circular, at least to the research community, may soon change the working relationship between certain federal agencies and grantees. Citing from the OMB web site:

THE PURPOSE OF OMB CIRCULAR A-76

"Federal agencies rely on a mix of public and private sector sources to perform a wide variety of recurring commercial activities that are needed to conduct the business of government. These activities range all the way from custodial services to data collection, computer services and research, testing, and maintenance of equipment used by our nation's war fighters. A-76 establishes the policies and procedures for identifying commercial activities and determining the best provider of the services."

While this Circular has been in place for many years, the President recently identified competitive sourcing – i.e., the process of opening the government's commercial activities to the discipline of competition – as one the five main initiatives of his management agenda for improving the performance of government. The current Administration believes that Circular A-76 can be used to facilitate broader and more strategic use of competitive sourcing as a management tool for improving agency performance. 850,000 FTEs have been identified throughout the federal government as jobs that could be performed by the private sector, yet the Administration believes that little progress has been made in moving such positions to commercial firms.

The most immediate concern for the research community is that OMB has directed NIH to review 25% of all commercial functions by the end of FY 2004, to determine the least expensive way to perform them. By the end of FY 2003, NIH is required to complete cost comparison studies on about 13% of agency jobs (about 2,300). To that end NIH issued a pre-solicitation announcement for Grant Services in the February 23, 2003 FedBizOpps. The specific activities included in the announcement are: Grants Review, Grants Programs, and Grants Management. Quoting from the announcement, "These are critical activities that directly support and impact the scientific mission of NIH. Services are to be provided at the Bethesda campus, other locations in Montgomery County, Maryland and Research Triangle Park, North Carolina. The contract shall be for one (1) 12-month base year with four (4) 12-month options. This acquisition will comply with the new schedules mandated in the proposed revisions to OMB Circular A-76."

Under Circular A-76, services are eligible for contracting out if they are considered not inherently governmental functions. Inherently governmental functions include binding the United States to take or not to take some action by contract, policy, regulation, authorization, order, or otherwise; and exerting ultimate control over the acquisition, use, or disposition of property, real or personal, tangible or intangible, of the United States, including the establishment of policies or procedures for the collection, control, or disbursement of appropriated and other federal funds.

NIH is currently engaged across all Institutes and Centers in a process to determine which grant management positions are inherently non-governmental. These positions and services then will be open for bid through an RFP process. Circular A-76 allows the agency to bid along with commercial firms, but the recent revisions made to A-76 were intended to remove what OMB perceived as roadblocks to commercial entities, and elements that seemed to favor agency offers. Although many jobs outsourced will be clerical or technical, positions such as scientific review administrators, health science administrators, grant specialists and grant technical assistants could also be eligible for contracting out. As a result, well-established relationships between the extramural community and NIH could be disrupted, making the grant administration process less efficient. In addition, one would expect that if NIH, the largest grant-making entity, contracts out for certain grant management activities, other agencies are likely to follow suit.

There is also a larger issue to consider – that of the long-term health of federal agencies. For over 20 years under both Republican and Democratic leadership, there have been efforts to reduce the size of government. Whether it was derision of "big government" or dressed up as "national performance review", a disturbing side effect has been to put federal service in a very unflattering and unattractive light. As a result young, smart college graduates for the most part shunned federal service. Combined with forced or early retirement programs, this has left a federal workforce with a serious gap between those at the top nearing retirement age, and a capable, ready group of mid-level staff to fill those positions. And this gap will only get worse if such positions are increasingly privatized.

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Institutional Conflicts of Interest in Clinical Research

by Tom Wilson

The research environment at our institutions has changed considerably since the Bayh Dole Act was passed in 1980. Many of our faculty have evolved into entrepreneurs and our institutions, in many cases, have encouraged this commercialization. Our institutional programs to bring the scientific fruits of our laboratories and clinics to market have put institutions in a new arena, an arena with new opportunities and new risks. Reports of perceived institutional conflicts of interest at many universities and academic medical centers have resulted in banner stories in the local and national news media; studies involving human subjects have been of particular interest to the media.

The General Accounting Office reported to Congress in 2001 that institutional financial interests in research "may color (an institution's) review, approval, or monitoring of research conducted under its auspices…". The Association of American Medical Colleges established a Task Force on Financial Conflicts of Interest in Clinical Research and their report was published in October 2002. The recommendations of the AAMC Task Force can be helpful in establishing policies at our institutions to protect of the welfare of human subjects enrolled in research protocols at our institutions.

The AAMC Task Force declares that:

"Institutional policies should affirm that the welfare of human subjects and the integrity of research will not be comprised – or appear to be compromised – by competing institutional interests or obligations."

Clearly, the financial interests of the institution should not interfere with the institution's moral obligation to protect the welfare of human subjects enrolled in clinical studies performed within the institution's walls. What interests could an institution have that might conflict with human subjects welfare? Some of the areas that the Task Force suggests could be potential conflicts of interest are:

- When the institution is entitled to receive royalties from the sale of the investigational product
- When the institution has obtained an equity interest in a start up company through technology licensing activities
- When an institution has obtained an equity interest through licensing activities greater than $100,000 in a publicly traded sponsor of human subjects research at the institution
- When an investigator or institutional official with research oversight authority participates materially in a procurement decision with an entity that sponsors human subjects research
- When the institution has received substantial gifts from a potential commercial sponsor of human subjects research

It is paramount that our institutions assess their exposure to conflicts in areas listed above and any other relationships that could have the perception of a conflict of interest and adversely affect the welfare of human subjects. When conflicts or potential conflicts are identified they must be managed or eliminated in a manner that is similar to procedures established at institutions regarding individual conflicts of interest. The Task Force recommends that a standing committee be formed at institutions to review institutional conflicts of interest. The Task Force recommendation is that this Institutional Conflict of Interest Committee (ICOI) be in addition to the Conflict of Interest Committee that you already have on your campus and that the ICOI have the following representation:

- Members should be independent of the direct line of authority for human subjects research oversight
- One or more members from the public
- One or more members of the board of trustees
- One or more members with no professional, personal or financial ties to the institution
- One or more senior faculty

The Task Force recommends a separate ICOI but realizes that it would be possible to have the review of institutional conflicts added to the scope of the existing Conflict of Interest Committee. Many institutions have chosen to take this approach. A very important part of the AAMC Task Force recommendations is that all relevant institutional and individual conflicts be disclosed to research subjects in a form determined by the IRB of record. This may require that new controls and new lines of communication be established between our Institutional Review Boards and our Conflict of Interest Committee(s).

The AAMC Task Force Report does not prescribe a solution to the issues involving financial interest surrounding human subjects research, but the report does provide a base line for the review and implementation of policies and procedures at our institutions. We have a unique opportunity and moral responsibility to perform this review of our business practices and our human subjects review process before the federal government mandates a solution.

Tom Wilson serves as the Director of Grants and Contracts, University of Texas M.D. Anderson Cancer Center

Community CORNER

Human Subjects Protection: Entering the Age of Aquarius

by Stephen Dowdy

Now that the Vernal Equinox is behind us, it appears the stars are aligning. Just as day equals night during the Equinox, our culture of compliance seems to align with research protections on the research administrator's celestial sphere. Human subjects' protection is now one of the points that intersect the ecliptic. In this issue, the on-going efforts around Institutional Review Boards (IRBs) will be explored as we enter the Age of Aquarius.

In the last NCURA Newsletter, I mentioned that the Federal Demonstration Partnership (FDP) had established a new task force to explore the world of IRBs. Now that all our institutional IRBs have tackled the associated problems that arose from the Health Insurance Portability and Accountability Act of 1996 (HIPPA), our IRB constellations are aligning to improve efficiencies. Over the past few years, many institutions have seen and increased volume in the number of protocols being reviewed and administered, presumably largely due to the increasing NIH budget.

Notwithstanding the apparent cultural change towards research protections, more regulations are in place today than there were several years ago. Given the fact that the cap on the administrative component of F&A pool has not increased, research institutions are driven to automation to avoid errors and improve efficiency.

Many universities and consortia have either deployed IRB systems or are developing systems. What has not been addressed is how these systems might be leveraged together like the stars that form the heavenly constellations, which have provided guidance and navigation the past several thousand years. The eIRB task force will be considering lessons learned by early implementers and strive to identify those areas where it would be advantageous to have the systems exchange data.

One of the immediate projects the eIRB task force will undertake is in the area of adverse event reporting. Imagine a solar system where the sponsor is informed of an adverse event before it's printed in the newspaper and where the event can be disseminated to all collaborating centers. There is a great opportunity to reduce the potential for human suffering not only for the participants in the studies but also for IRB administrators alike.

The eIRB task force will be working to identify best practices, turn those practices in data requirements, establish a data dictionary from the requirements, and then work within to develop data standards around the data dictionaries. In effect the creation of the universe of data collection requirements. Adverse event reporting will be one of this group's top priorities but this group is not limited to any specific area of IRB activity. Other solar systems that may be explored using the above process include committee data, agendas, minutes, consent forms, protocol related data, multi-campus projects and reporting to name a few.

On the celestial horizon, the new Director of NIH, Elias Adam Zerhouni, M.D., is defining the NIH's "roadmap for action" which would guide and define the next 3-5 year's of NIH's future. Several members of the research community have been contacted to collaborate and work closely with the NIH as they develop their roadmap and action plan as it relates to NIH's IRB activities. The FDP will be working closely with the NIH as they begin to explore and define their own IRB data collection requirements. Even more exciting, efforts are underway to bring the FDA and the CDC to the same table! Imagine a universe where IRB rules, regulations, and data collection requirements across the entire government align forming the eRA equinox.

The world of eRA continues to change, as does the Vernal Equinox. In a few hundred years, the Vernal Equinox will leave the constellation of Pisces (as it has left Taurus and Aries in days gone by) and enter the constellation of Aquarius. This will mark the "dawning of the Age of Aquarius". Luckily, it doesn't look like we will have to wait that long for the dawn of the Age of eRA.

To give you a sense of the purposed activities, I thought I would take this opportunity to reproduce the FDP's eIRB task force charter.

PURPOSE

The Electronic Institutional Review Board (eIRB) task force of the Federal Demonstration Project is established to coordinate, promote and facilitate the development and effective use of information standards and electronic systems throughout the IRB community.

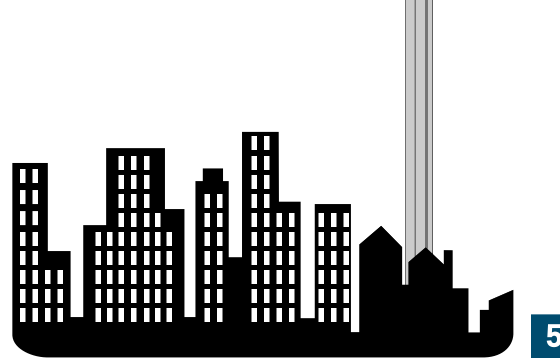
MISSION

- To promote and facilitate interoperability among IRB systems through the definition of a common set of public IRB tasks and entities and develop standards around them.
- To encourage the implementation of public and rigorous change management procedures for all IRB related standards.
- To conduct pilot tests of dataset exchange.
- To facilitate collaboration among members of the IRB community.
- To catalog and publish lessons learned pertaining to electronic IRB systems.

GOALS

- Define the common set of IRB tasks and entities and develop standards around them. Standard datasets and representations will include but not be limited to:
- Adverse Event Reporting
- Protocol Submission
- Protocol Revision and Amendment
- Continuing review
- Pilot, in collaboration with one or more federal agencies, automated (business-to-business) adverse event reporting.
- Research performer to sponsoring entity.
- Sponsoring entity to other participating research centers.
- Pilot, in collaboration with one or more research institutions, protocol submission, protocol revision and amendment, and continuing review datasets.
- Catalog and publish lessons learned on the FDP website.

Stephen Dowdy serves as the Assistant Director, Office of Sponsored Programs, Massachusetts Institute of Technology



Community CORNER

Case Number 02 C 5287

by Marilyn Surbey

Better known as the United States of America vs. Northwestern University. On February 7, 2003, the Chicago Tribune headline read "Northwestern University OK's Settlement in Federal Grant Case." The accompanying story described a $5.5 million settlement of a qui tam case brought by a former Northwestern employee. The allegations centered on effort reporting issues resulting in the overpayment of federal grant money.

To the casual reader who isn't privy to the nuances of "effort reporting" this information suffices. However, to those of us who are too familiar with the subject, this article raised more questions than it answered. What happened at Northwestern? Are there lessons to be learned? Are other institutions at risk? And the questions continue.

Both the complaint, "False Claims Act Complaint and Demand for Jury Trial" and the settlement agreement are public record. For those readers wanting to know more, it is interesting reading. As they say, "the devil is in the detail."

The government's claim under the False Claims Act was as follows:

1) The institutional-based salary for medical faculty was overstated by the amount of clinical compensation. The clinical activities were then excluded from the effort reporting process.
2) Because of the exclusion of clinical activity, the percentage of effort for medical school faculty is overstated on proposals and in requests for payment.
3) Failure to reconcile proposed salaries and effort commitments with actual effort devoted to the grant.
4) Failure to fulfill the effort requirements on K awards which demand a certain percentage of time.
5) Rebudgeting without agency approval.
6) Requesting payment based on unreliable documents. (This refers to effort reports signed by administrators).

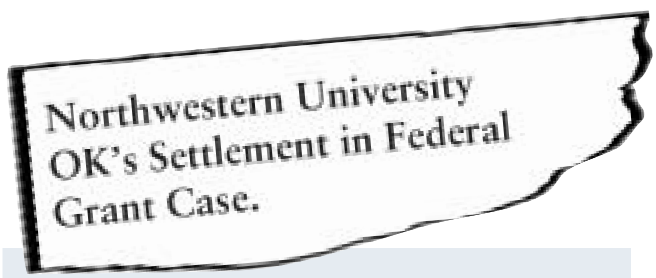
"To avoid the delay, uncertainty, inconvenience, and expense of protracted litigation of the claims set forth above, the Parties hereby reach a full and final settlement of the aforementioned claims," stated the settlement document. It is important to note that this was not a criminal case and Northwestern did not admit to any wrongdoing. The Department of Health and Human Services (HHS) agreed not to take any debarment action and Northwestern did not have to sign an integrity agreement.

In addition to the $5.5 million payment to HHS, Northwestern estimates that another $2 to $2.5 million was expended for consulting and lawyer fees. In addition, Northwestern will also bear the expense of implementing a new effort reporting system.

The lessons learned from this experience are many. Salary and effort must be proposed and reported on the same basis. Effort commitments made in the proposal must be documented in the effort reporting system. There is no deviation allowed for the effort proposed for "K" awards. And universities must ensure that effort reports are signed either by the principle investigators themselves or by someone using suitable means of verification. The "means of verification" must be able to be substantiated after-the-fact.

It should be noted that this was never an issue of science not performed. The science was completed as proposed. It was only an issue of documentation and paperwork; a very costly issue.

Marilyn Surbey serves as the Associate Vice President for Finance and Research, Emory University


Northwestern University OK's Settlement in Federal Grant Case.

Did this article raise more questions than it answered?

Where Did All the Palm Trees Go?

Community Corner

by Suzanne K. Polmar

"Things which matter most must never be at the mercy of things which matter least"

Goethe

The economic downturn has affected the financial health of both public and private universities across the nation. In response, budgets for administrative offices are being constrained and, in some cases, staff is being reduced, and faculty are being asked to find more external funding to support their programs and salary. The net result of these two forces is that research offices are processing more proposals and more awards, often dealing with sponsors new to interactions with academe, with no hope of increased resources with which to manage the increased workload. Layered on top of this are increased demands to comply with new and complicated federal regulations – from HIPAA to Select Agents – and to learn new and complicated electronic research systems. In order to keep up we find we are working longer hours, bringing more work home, withdrawing from community activities, and taking fewer vacations. In the words of a colleague, "we have gone beyond Lean and Mean and Anorexic and Angry."[1]

Coping in this situation can prove very difficult. We seem to move from crisis to crisis with no time for the careful analysis and thought which should frame our work. Stress, fatigue and anger do not promote clear thinking. Interpersonal relations in offices and teamwork can be negatively impacted when everyone is under pressure. Clearly we need to bring balance back into our lives and into the lives of those who work with us.

As I tried to deal with this situation both at a personal level and with concern for my staff, my first thoughts were focused on time management skills, but reading about organizing tasks, doing tough things at your best time of day, etc, did not seem to be enough. I was reminded of the statement "How many people on their deathbed wish they'd spent more time at the office?"[2] That quote and other work by Stephen Covey (author of *The Seven Habits of Highly Effective People*) provide a better framework for approaching the problem.

In advising his readers to be proactive, Covey pays particular attention to the impact of the way we view and speak about problems. Anger is defeating! It does no good to bemoan the difficulty of a new rule, or new system, or a new environment – sharing complaints with colleagues will not change anything. We have to frame problems in such a way that we are seeking a solution. Rather than saying "there is nothing I can do" we should be saying, "let's look at the alternatives." This approach is not easy; it requires hard work to analyze a problem from the point of view that it is solvable and then come up with a solution.

Explaining a principle he calls *Sharpen the Saw*, Covey advises individuals to continually improve or risk falling into entropy. While he is addressing individuals, I think this advice applies to our office practices and procedures as well. Many practices in our offices were developed as a response to some problem or perceived need in the past. These processes may not be the most efficient but they worked and they have probably changed little over the years. We have lived by the management cliché "If it ain't broke don't fix it!"

Our current problem is not that the processes don't work; it is that the environment has changed and we need to make better use of scarce resources. To use a biological metaphor, sponsored projects offices are experiencing new selective forces. Many resemble well-adapted dinosaurs used to meeting their needs by feeding on lush vegetation. But the climate has changed, it is getting cold and the vegetation is dying. We must adapt, we must change how we do our work, not just to survive but also to thrive in this new environment.

I suggest that the best way to start on this path is to spend a little of your precious time resource to understand what you are doing and to ask WHY? Your ultimate goal is to figure out a way to maintain good management controls, to deliver exceptional customer service, and to do it without increasing the resource needs of your department. Remember that "we've always done it that way" is not a reason to continue to do something.

Gather your team and plot the workflows in your office. Ask, "what value is added" by each activity. Engage the people who are your front line in assessing the time spent on various tasks. The questions below are examples – you will easily come up with your own.

Are there redundancies in the system that can be eliminated?

- How many times and how many people handle one piece of paper?
- In this age of electronic spreadsheets, is it still necessary for your staff to review the budget numbers submitted with proposals or would a quick check that the rates applied are correct be sufficient?
- If something is submitted electronically do you still require paper? If the answer is yes, ask why.

Are there some actions you can take to prevent common errors before they happen?

- Could you provide some templates that would assist in the preparation of forms?
- If templates are beyond the skill of your systems support, what about posting some examples of various documents on your website?

Could proper management control be maintained with exception reports rather than reviews of every transaction?

When you have identified some things you can change, don't delay. Put the new procedure into place as soon as practical. These changes should not require long learning curves or major policy changes.

Changes that require institutional approval should not be neglected. The Director should move those through whatever channels are necessary, but first priority should be to improve and streamline those things that are controlled at the local level.

I would make two other important points: First, once the process is in place, resolve to continue to review how things are done on a regular schedule and continue to adapt.

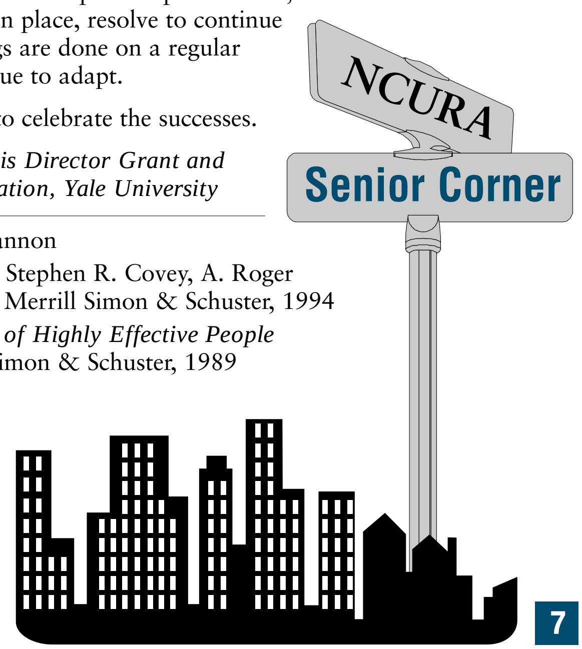
Second, make sure to celebrate the successes.

Suzanne K. Polmar is Director Grant and Contract Administration, Yale University

[1]. Alice Tangredi-Hannon

[2]. First Things First, Stephen R. Covey, A. Roger Merrill, Rebecca R. Merrill Simon & Schuster, 1994

[3] .*The Seven Habits of Highly Effective People* Stephen R. Covey Simon & Schuster, 1989



Subawards Demonstration Project Update – IP Clauses

by Ann Hammersla and Bob Killoren

The Federal Demonstration Partnership (FDP) began nearly two years ago as a demonstration project to a standardized subaward agreement form. So far the form has proven to be a real asset, saving participating institutions negotiation and processing time and expense. As FDP has moved ahead with the project, we found some areas where we could develop "best practices" language.

One of the areas we have been working on deals with intellectual property (IP) rights as they flow from the subawardee to the prime awardee.

When two institutions collaborate in a prime-sub relationship, the prime awardee has overall responsibilities to the sponsor, even for the work of the subawardee. In order for the prime institution to meet its responsibilities, the subaward institution needs to ensure that necessary rights to data and IP flow to the prime. This is the prime concern of the IP language in the standard subaward agreement.

The subaward agreement form deals with IP issues in Attachment II, which is reserved for agency specific, award specific, and institution specific requirements. We instruct participants in the demonstration project (as well as all users) to refrain from making any changes on the front page of the form. We want institutions to trust that the content of the first page is consistent no matter where the subaward is issuing from and thus does not require review. All changes to first-page clauses, as well as special terms and conditions, need to be addressed in Attachment II.

IP language in Attachment II is basically "recommended" language. Users do not have to utilize it or accept it. However, obviously, the more people that use the standard language the smoother and swifter transactions will run from institution to institution.

We asked FDP representatives from the University of California and the Massachusetts Institute of Technology to revisit the issue of IP language and share with us what they would consider the "best practice" in conjunction with subawards. The following is their recommendation:

1. Copyrights

Subject to its legal ability to do so, the Subawardee shall grant to University an irrevocable, royalty-free, non-transferable, non-exclusive right and license to reproduce, make derivative works, display, and perform publicly any copyrights or copyrighted material (including any computer software and its documentation and/or databases) developed and delivered under this Subaward Agreement to the extent required to meet University's obligations under its Prime Award.

2. Data Rights

Subject to its legal ability to do so, the Subaardee shall grant to University license to use data created in the performance of this Subaward Agreement to the extent required to meet University's obligations under its Prime Award.

You will notice, perhaps right away, that the agreement does not address rights to either patents or inventions. This is not an oversight. One of the prime operational principles the Subawards Task Force worked under was: "Do not put burden the subaward agreement form with material that is already dealt with in standard government terms already flowed down." If the cited rules and regulations already incorporate certain requirements or privileges there is no need to restate those in a subaward – just stick with the citation.

This is what happened when we considered inventions and patents – standard federal terms take into consideration the Bayh-Dole Act,, which already makes provision for a prime awardee under the "government rights" clause to utilize the inventions or patents of a subawardee for the purposes of the sponsored project. The Bayh-Dole provisions appear in 37 CFR Part 401. Section 401.14 (b) states: "With respect to any subject invention in which the Contractor retains title, the Federal government shall have a nonexclusive, nontransferable, irrevocable, paid-up license to practice or have practiced for or on behalf of the United States the subject invention throughout the world."

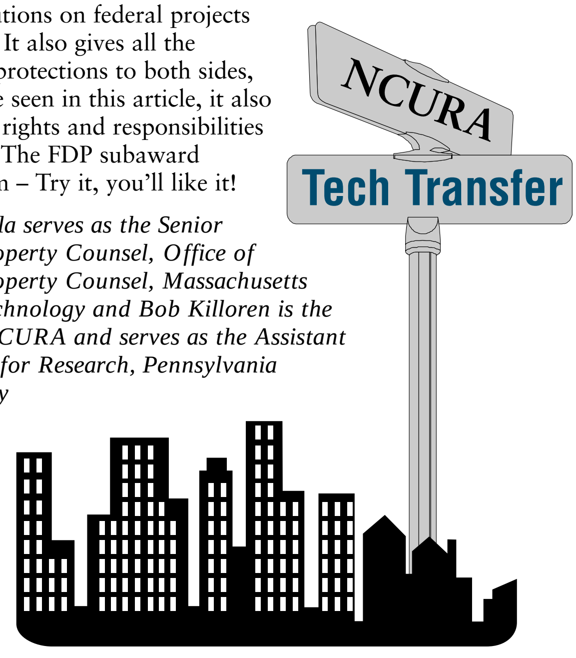
It was the determination of the UC-MIT "best practices" group that this clause covers any use of a prime institution of a subawardee's invention, since work on the federal project would clearly be practicing the invention "on behalf of the United States." Besides, the number of instances in which we would actually see this played out are probably rather remote, since the duration of the grant would have to be long enough to make an invention, file and obtain a patent, and then practice the invention.

Not only does the subaward agreement form not address inventions and patents, the "best practices" group also wants to add a statement that the form's users should not add a clause dealing with inventions and patents. To add such a clause would give the appearance of "cutting a deal" for each institution separate from or even greater than that which the government gets. The reason the group recommends that nothing be said is that it would be perceived as improper to coerce a subawardee into granting away its rights without due compensation. A subawardee should not have to provide a prime institution anything more than what the prime is entitled to under the Bayh-Dole Act.

The two clauses that are included ensure that both copyrighted materials and data developed by the subawardee can be used by the prime awardee. It is clear that both these situations arise in nearly every subaward relationship, since at the bare minimum the subawardee will be providing written reports and data to the prime. The prime must be free to use these in making reports to the federal sponsor.

The FDP subawards agreement form is really one of the most important streamlining improvements made in recent years. It makes collaborations and subawards between institutions on federal projects much simpler. It also gives all the required legal protections to both sides, and as we have seen in this article, it also protects the IP rights and responsibilities of each party. The FDP subaward agreement form – Try it, you'll like it!

Ann Hammersla serves as the Senior Intellectual Property Counsel, Office of Intellectual Property Counsel, Massachusetts Institute of Technology and Bob Killoren is the President of NCURA and serves as the Assistant Vice President for Research, Pennsylvania State University



University/Industry Contract Negotiations: The Good, The Bad, and Reality

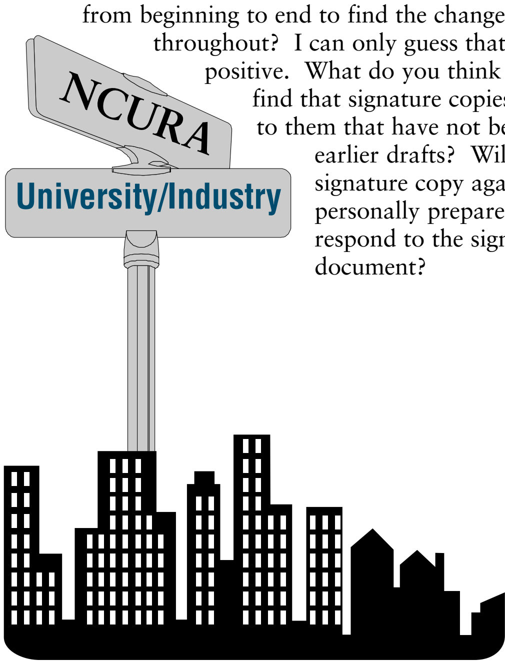
by Connie Armentrout

Contract negotiations. For many of us they make up at least 80% of our daily responsibilities and are the very challenges that keep us coming back to the office every day. Many times we look forward to the next agreement. Sometimes, regardless of our motivation, we dread the next round, especially when we find ourselves negotiating with an entity that we have had difficult negotiations with in the past. Nevertheless, we always hope that there is one more contract to negotiate just around the corner.

Industry (large companies and some small) usually has a good number of resources available to them both prior to and during negotiations that are missing in the university's arsenal. There may be scientists who play a transitional role between the bench and the intellectual property attorneys who can provide a tremendous amount of intellectual property information to the transactional team. There may be commercial groups that can give the transactional team an incredible amount of information with regard to market share possibilities, commercial potential, and an idea of what price the market will bear (this price would have to include the university's compensation). Traditionally, universities have the greatest amount of information regarding the invention itself, i.e. does it have special quirks that can't be explained scientifically, has it really been reduced to practice on a reasonable scale to determine the feasibility of scale up for commercial production, are there nuances that need to be explained, etc.

I have found in the past that negotiations are much easier when both parties recognize the strengths of the other party. Listen to the discussions, if one party has the information that it needs to make its case, work through possible solutions for the differences in opinion. At the end of the day, it has been my experience that the university has the upper hand with regard to the actual workings of the invention and the industry has the information regarding the commercial potential and the price that the market will bear. Neither party wins when one holds out for something that is unreasonable for a protracted length of time.

All of us have received a revised draft agreement before. I imagine that everyone opens the document (whether electronic or paper copy) and immediately starts looking for the red-line-noted or hand-noted changes that have been made. What sort of reaction do you have when you find no notations, only a clean copy that must be read from beginning to end to find the changes that are scattered throughout? I can only guess that it is less than positive. What do you think (or do) when you find that signature copies have changes made to them that have not been acknowledged in earlier drafts? Will you ever trust a signature copy again that you have not personally prepared? How do you respond to the signer of this kind of document?



A simple solution to these problems is to make sure that every draft that you forward to your negotiation counterpart is put into a format that you would appreciate receiving. You can never use too many highlights, red-line notations, and/or notes along the way to make negotiations much easier for both parties. Make sure that you run those last minute changes by everyone before making any assumption that they will be approved. This approach makes it so much easier to spend all of your effort and time on the issues that need to be resolved than in reading the material over and over again. Both sides of the negotiations benefit from extending these common courtesies. Hopefully, everyone leaves the "table" with the attitude that it will be a good thing to do business with this party again.

You can be truthful without telling everything that you know. Be aware that if you are practicing this approach, your counterpart most likely is as well. Although you may not want to tell your counterpart everything that you know, it is important to spend the time necessary to provide your counterpart with the background knowledge of the particular culture within which you must negotiate. Industry is not usually aware of the many rules and regulations that universities must factor into their negotiation strategy. In the same vein, universities rarely completely understand the industry that they are negotiating with. If both parties are made aware of the outside boundaries (policy requirements, who the group reports its successes and failures to, certain market conditions, etc.), the negotiations benefit exponentially. It is much easier to develop workable language for the parties if there is a reasonable understanding of situations between the parties. Negotiations tend to move along quickly when both parties understand the breaking point of the other.

Happy negotiations to all!!!

Connie Armentrout serves as a Technology Licensing Manager, for Monsanto Company

Capital View continued from page 3

A recent Brookings Institute report states that:

"A healthy public service has five characteristics. It is motivated by the chance to accomplish something worthwhile on behalf of the country, recruited from the top of the labor market, given the tools and organizational capacity to succeed, rewarded for a job well done, and respected by the people and leaders it serves. By all five measures, the federal service has lost ground."

In addition, quoting from a very detailed and well researched article on this subject in the March 31, 2003 GovExec.com;

"Competitive sourcing, as the administration calls its effort, is the most controversial piece of Bush's management agenda. It could save $10 billion, make agencies more efficient and permanently erase the stereotype of shiftless, lazy government workers. It also could make the government less diverse, hurt agency missions, damage morale throughout government, and not save a dime. Last July, the House voted to halt the program. But under White House pressure, the Senate voted in January to let the effort proceed."

There are a number of Senators and Representatives opposed to further federal workforce privatization, and the science community is paying more attention to this issue with respect to NIH. Meanwhile, we would all do well to remember to thank our federal friends, when warranted, for a job well done.

Tony De Crappeo is the Associate Director, Council on Governmental Relations (COGR).

Enjoy the summer months. The fall issue will report on the results of the nominating committee in looking to fill key regional leadership positions. This is great time to let us know of your interest to volunteer.

Louise Griffin is the Chair of Region I and serves as the Managing Director, External Funding and Technology Transfer, University of Massachusetts Lowell.

REGION I
New England

By the time this report appears, the Spring Meeting will be upon us. Congratulations to Sally Tremaine and the Program Committee for their work in pulling together such a dynamic program.

Among the highlights of the Spring Meeting is the presentation of the Region I Merit Award. I take great pleasure in announcing Sally Tremaine from Yale University as this year's recipient. Sally's commitment and service to the region is almost without precedence. She served as chair of the Region for a longer continuous period than any other chair in the region's history. Her term was marked by significant outreach to research administrators throughout New England and by a series of exceptional RADG and annual spring meetings. In addition to her significant and substantial involvement in regional activities, Sally repeatedly has been in demand as a speaker at NCURA national meetings and was instrumental in helping get NCURA's Pre-award Neighborhood established. Sally never says "no" to a request to assist a colleague seeking help on any issue; she has become one of the region's invaluable mentors. Congratulations, Sally on receiving this well deserved honor.

The Bernard McLane Travel award was given to Mia Enright from Bridgewater State College. Congratulations, Mia.

Good-bye and good luck to our ever-efficient treasurer, Bruce Elliott, Jr. Bruce has accepted a position outside of the Region. We wish him success and happiness in his new position.

Franc Lemire has agreed to assume the treasurer's position for the remainder of Bruce's term. Thank you Franc from all of us in Region I!

The next RADG is scheduled for June 12th. The announcement and registration information will be sent soon.

REGION II
Mid-Atlantic

As I write this, the Region II spring meeting in New York City is just around the corner. Watch for news from the meeting in the next issue.

In the meantime, mark your calendar – the 2004 spring meeting will be a joint meeting with Region I, and will be held at the Hyatt Regency Baltimore on the Inner Harbor, Baltimore, Maryland, April 24 - 27, 2004.

Have you visited the Region II website lately? Go to http://www.osp.cornell.edu/NCURA_Region_II/ and explore. Be sure to send your announcements and job opportunities for the Announcements page (contact information is on the site). Please contact Cheryl Williams with your ideas as to how we can enhance the Region II site and make it more useful for you.

We will shortly be forming a regional nominating committee to seek candidates for the position of regional Chair to serve as Chair-Elect during calendar year 2004 and as Chair during 2005. We will also seek candidates for the position of regional Secretary to serve during calendar years 2004 and 2005. Please contact Charles Kaars if you wish to suggest a candidate or if you wish to be considered for the position.

There are other volunteer opportunities in the region, especially before and during the annual meeting and the spring meeting – hospitality tasks, committee memberships, local meeting arrangements, etc. We plan to post opportunities on our website as the arise, but don't be shy – if you want to get involved, talk to one of the officers!

A regional travel award will be offered for the annual meeting this November. This award is for a Research Administrator from the Region II geographic area who has never attended an NCURA national meeting. Watch for more details.

Janet Simons is the Chair of Region II and serves as a Manager, Grants and Contracts, University of Maryland Baltimore.

REGION III
Southeast

It's official, Patrick Green, University of Miami Medical School, has been elected Chair-Elect for 2003-2004! Barring any last minute legal action by the infamous Dade County Board of Elections, Patrick will assume the mantle at next month's Regional Meeting in Destin, FL.

The Spring Meeting, "Excellence in Research Administration," will be held at the beautiful Sandestin Golf & Beach Resort (www.sandestin.com) and some rooms are still available.

The meeting begins on Sunday, May 4th, with four half-day workshops and goes through noon Wednesday and is packed with nearly 35 sessions. Although the days will be busy, there will be plenty of time to relax and network with other attendees and session partners at the Sunday evening Reception, at Tuesday's "Afternoon with the Experts" and at Tuesday evening's Beach Party on the Gulf of Mexico.

Registration and meeting program can be found at: http://www.orga.cofc.edu/ncura3/getdata/index_events.pl?index=upcoming

Don't delay, send in your registration form and make your room reservations today!

By the way…NCURA members from other regions are encouraged to "jump ship" and join us.

Timothy Colon is outgoing Region III Chair and serves as Finance Director, Department of Medicine, University of Virginia.

REGION IV
Mid-America

At press time, Region IV is looking forward to a great spring meeting in Cincinnati, April 26-29! E-Gov, E-Grants, E-Gads! will feature close looks at e-topics as well as the range of research administration topics. In addition to attending workshops, concurrent sessions and roundtables, one of the pleasures of the spring meeting is honoring the region's award winners at our own "Oscars." The complete program and online registration information are available on the Region IV Web site: http://www.ncura.uc.edu.

At press time, Region IV members are receiving election ballots. Let's have a good turn-out for our own election!

Dola Haessig serves as Coordinator, Research Community Project, College of Arts & Science, University of Missouri-Columbia.

REGION V
Southwestern

This Spring was been a very busy time for us. Along with the changing location and dates of our Spring meeting, we are also in the process of updating our by-laws. Thanks to Debbie Newton and her committee for taking the time to work on this important document.

Region V anxiously awaits our Spring meeting which is being held in Dallas on May 18th thru the 21st. Judy Cook, Vice Chair -elect and her program committee has put together a very strong program. This has been a very difficult meeting to put together due to location and dates changes, but our Vice-Chair and her program committee have come through for us. There are two half-day workshops being offered on Sunday and twenty-five (25) sessions offered in the next two and half days. There will be something for everyone, so come and join us in Dallas.

Congratulation to Region V 2003 Distinguished Service Award recipient Mary Catherine Spijkerman, University of North Texas Health Science Center. Mary Catherine has held numerous offices in Region V and presented workshops and sessions at both regional and national NCURA meetings.

Congratulations to the following individuals who are recipients of the Quinten S. Mathews Travel Scholarship, which provides $500 travel reimbursement to their institutions to offset travel expenses to the Spring meeting:

- Beth King, University of Texas Medical Branch
- Wendy Kent, University of Oklahoma, Norman Campus
- Phaedra Hopcus, Texas Engineering Experiment Station at Texas A & M

CONGRATULATIONS TO ALL OUR AWARD WINNERS!

A special thanks to all of you for your volunteer efforts on behalf of Region V.

Judy Cook is the Chair-elect of Region V and serves as a Research Administrator, Baylor College of Medicine.

REGION VI
Western

Snow flurries on Monday; 75 degrees on Tuesday…that's Springtime in the Rockies!

We have just completed a very enjoyable Joint Region VI-VII meeting in Denver, April 6th through the 9th. Over 140 of our colleagues attended this year's meeting held at the Hyatt Regency in downtown Denver. The program had four workshops and thirty-four sessions. Thanks to David Mayo for developing the workshops, to Terry Manns and his committee for organizing the program, to Twila Reighley for getting our keynote speaker, and to Judy Fredenberg, Tim Edwards, and Denise Wallen for all the hard work they put in arranging the logistics for the program.

We were very fortunate to have our President, Bob Killoren, with us for this meeting. At lunch on Monday he reviewed the new initiatives being planned to assist in the professional development of all our members. Our keynote speaker was Dr. Margaret Murnane, Professor of Physics at the University of Colorado. She enlightened us with her presentation, "How to Make Atoms Sing and Molecules Dance: Using Fast Light to Observe and Control Nature." We also had the pleasure of hearing from Dr. Jack Burns, Vice President for Academic Affairs and Research, University of Colorado System on "The Importance of Research for the University and for Society."

Our Tuesday evening speakers were Dorothy Yates, University of Colorado, Denver and Merritt Helfferich, Innovation Consulting, Inc. who entertained us with their very enjoyable presentation, "When All Else Fails, Try Humor: An Alternative to Hitting Your Head Against the Wall." We ended our meeting with lunch on Wednesday. Judy Fredenberg, University of Montana, lead a discussion on a phenomenon very rarely experienced by research administrators…stress. A variety of coping strategies were discussed and we all shared new ways to help us cope with the good, the bad, and the ugly.

Terry Manns is Chair of Region VI and serves as the Director, Research and Sponsored Projects, for the California State University, Sacramento.

REGION VII
Rocky Mountain

Region VI-VII Spring Meeting. On the heels of a record four-foot snowstorm that shut down most of Colorado, participants of the Regions VI-VII spring meeting were greeted with temperatures in the 70s on the final day. The meeting took place at the Hyatt Regency in downtown Denver April 6-9 and featured a keynote address from Dr. Margaret Murnane, Professor of Physics from nearby University of Colorado, Boulder. Bob Killoren, NCURA President, spoke at the luncheon on Monday, and then met with officers of both regions in an informal exchange of information and ideas. Outgoing Region VII Chair, Judy Fredenberg (Executive Assistant to V.P. for Research, University of Montana) gave her entertaining presentation 'Naked at Noon' and we welcomed the new Region VII Chair Denise Wallen (Special Assistant to the Vice Provost for Research, University of New Mexico) with a long list of suggestions for the next Region VI-VII spring meeting in San Francisco. Denise immediately asked that volunteers interested in serving on the Program Committee for the San Francisco meeting contact her (wallen@unm.edu). Please help thank the program committee from Region VII for the 2003 spring meeting:

- Judy Fredenberg (Executive Assistant to V.P. for Research, University of Montana)
- Denise Wallen (Special Assistant to the Vice Provost for Research, University of New Mexico)
- Tim Edwards (Accountant, University of Montana)
- Josie Jimenez (Assistant Director, New Mexico State University)
- Betty Eckert (Principal Research Administrator, Colorado State University)

NCURA Annual Meeting 2003. With the regional meetings in the history books, it isn't too soon to plan for the NCURA Annual Meeting to be held in Washington D.C. November 2-5, 2003. This meeting will mark NCURA's 45th anniversary with a theme of 'Exploring the Neighborhoods.' The program committee is organizing various tracks around each of the six NCURA Neighborhoods (http://www.ncura.edu). Mark your calendar now and plan on joining your fellow members for the Annual Meeting 2003.

continued on the next page

This Meeting Will Give You a Tingle
continued

explore other Neighborhoods to learn more about these areas of research administration. By "connecting our neighborhoods" as NCURA members, we learn from one another, strengthen our skills, and become more complete research administrators. The Annual Meeting is much more than an exceptional professional development activity, it is an important opportunity for interacting and socializing with members across the country. The spirit of community and camaraderie among NCURA members is strong and fellowship is an important part of the Annual Meeting. This is a chance for colleagues to connect and friends to reunite.

For many of us it is the one time each year that we get together so we will be sure to provide opportunities for members to network.

This year's meeting will have several new features. On the program side we will introduce new workshops designed specifically for senior research administrators. We will offer new concurrent sessions on timely topics such as stem cell research, immigration, and HIPAA and there will be many forums and discussion groups for members to share information. We will also feature an enhanced track covering the latest technology and policy developments in the world of electronic research administration.

On a less serious note, we will reprise last year's popular nighttime session "Coast-to-Coast with Denise and Dick," which will take a humorous and nostalgic look back at the past forty-five years. We will open the "NCURA Coffee House" which will feature entertainment and refreshments and will be a venue for NCURA members to showcase their considerable talents (or pseudo-talents). In the coming months we will be reaching out to find volunteers to perform, so start practicing, get in tune and stay-tuned.

Of course it would not be an Annual Meeting without NCURA's "house band," those legends of rock and roll, "Soul Source and the No-Cost Extensions." As always, Soul Source will be providing exceptional entertainment for our Tuesday night party (hopefully the Soul Source repertoire for 2003 will include a number of classic Beatles tunes to commemorate this year's very special Annual Meeting and appease NCURA's VP/President-Elect).

Oh yes, the "Tingle" you will get at this meeting is noted comedian and satirist Jimmy Tingle, who will be our featured entertainment for the Sunday banquet. Coming to us from the Peoples Republic of Cambridge, Massachusetts, the home of Harvard and MIT, Jimmy is the star of stage, television and movies you've never heard of. Many of you will remember Jimmy as the humorist/commentator who played the Andy Rooney role on the first two seasons of "60 Minutes II." Since that time Jimmy has been featured on NPR and PBS and has starred in his one man show "Jimmy Tingle's Uncommon Sense, The Education of an American Comic." Please plan to join us in November and be prepared for a "Tingle."

Patrick Fitzgerald is NCURA Vice-President/President-elect and serves as Director of Cost Analysis at Massachusetts Institute of Technology

Regional Corner continued from page 11

REGION VII continued

Leadership Development Institute. Region VII is fortunate to have a dynamic representative on the Nominating and Leadership Development Committee. Josie Jimenez (Assistant Director, New Mexico State University) encourages us to nominate representatives from our institutions for the 'NCURA Leadership Development Institute (LDI).' LDI provides an educational opportunity that will enhance participant's leadership abilities that will benefit both the home institution and NCURA. All participants will be assigned a mentor and be given class assignments by the faculty before attending a two-day workshop in June. These assignments will continue until the final workshop held at the National Annual Meeting in Washington, D.C. Cost of the workshop lodging, meals and materials are provided by NCURA, with the home institution responsible for travel costs. The inaugural LDI class of 2003 includes Kenneth Felthouse, Arizona State University. Please contact Josie Jimenez (josefjim@nmsu.edu) if you have questions about the LDI.

Regional Travel Award. Please consider nominations for the Region VII Travel Award. The Region VII Travel Award will be available again this year to research administrators who, because of fiscal constraints, could not otherwise attend NCURA's National Annual Meeting. Award recipients receive a stipend toward the costs of attending the November National Meeting in Washington, D.C. Criteria include:

- Research Administrator from Region VII who has never attended an NCURA National Meeting
- The recipient or his/her institution must pay the meeting registration fee
- Not required to be an NCURA member at time of nomination
- May nominate him/herself
- Nomination form must include at least one letter of support from his/her institution

The Region VII web site will have more details and the nomination form when it becomes available. (http://research.unm.edu/~ncuravii)

Region VII Officer Elections. Please consider nominations for the Region VII Secretary-Treasurer now held by Tim Edwards (Accountant, University of Montana) and the Member-at-Large position held by Ron Splittgerber (Director of Research Services, Colorado State University). The newly elected officers will assume their duties on January 1, 2004. If you have questions or nominations, please contact Debra Barnes Murphy (DebraBarnes@asu.edu) Visit the Region VII web site for more details: (http://research.unm.edu/~ncuravii).

Ron Splittgerber is a Region VII 'Member-at-Large' and serves as Director of Research Services for Colorado State University.

The Impact of War on the Federal Research Budget continued

rises to ~$11.232 billion, while Defense Development expenditures rise to ~$47.415 billion. While these figures are both above the FY 2002 level, the incident change in market share for all federal R&D is -4.52% for Defense S&T, and +5.37% for Defense Development expenditures[1]. We did not see significant reprogramming of S&T dollars for readiness and materiel acquisition in FY 2003, as Defense R&D increased as a portion of Defense spending from ~$14.23% to ~15.46% of National Defense budget authority[2]. The primary threat to Defense S&T funding in FY 2004 appears to remain the relative favor for technology development within R&D accounts. If war becomes prolonged, an increasing threat of cannibalization of S&T accounts for readiness and procurement will arise.

Increased competitive pressure on federal discretionary dollars

On a typical day, the United States spends ~$1 billion through the Department of Defense (DOD), and the infant Department of Homeland Security (DHS) spends between $110 and $140 million. State and local governments spend an untold amount each day on Homeland Security. However, the Office of Homeland Security estimated annual Homeland Security spending from all governmental sources at ~$100 billion, and the National Governor's Association and U.S. Conference of Mayors 2002 figures show $8.6 billion directly attributable to the 9/11 attacks and their aftermath[3]. The Council of Economic Advisors estimate the private sector cost of Homeland Security measures at between $27 and $55 billion annually, exclusive of insurance costs[4]. Taken together, it is likely that public and private spending on Defense and Homeland Security exceeds $1.3 billion per day.

Each day the DHS Threat Advisory is at or above "Yellow" (a condition that so far has proven coincident with war), requires: Increased surveillance of critical locations and electronic sites; coordination of emergency plans, and potential implementation of plans; deployment of special teams; repositioning and mobilizing specially trained individuals; and canceling or restricting events and transportation modes. Personnel overtime costs associated with DHS Threat Advisory levels at or above "Yellow" are already breaking first responder budgets across the nation, not to mention improved communications infrastructure needs, training, equipment and incidence response needs which add to the burden. The cost of war can easily add 20% to the overall daily Defense expenditure, but the marginal cost to DHS is uncertain.

Defense and homeland security are discretionary activities as they are treated in the President's budget. This means that they compete against all other federal programs other than mandatory accounts for available discretionary funding. One would thus expect the costs of war to directly reduce the proportion of available discretionary spending on research. In fact, Defense accounts for a higher portion of discretionary spending in FY 2003 than it did in FY 2002, and will again claim a larger portion of discretionary spending in FY 2004[5].

The President has already made a wartime supplemental appropriations request to Congress for an additional $74.7 billion to "…fund needs directly arising from the Iraqi Conflict and our global war against terrorism.[6]" It is important to note that it is likely that this and any further supplemental appropriations requests for war related costs will be treated as "emergency" supplemental appropriations, and thus not counted against the discretionary limits outlined in the President's FY 2003 budget of $791 billion. Despite the relief from the discretionary limits and a propensity to allow deficit spending for such purposes, the indirect result remains several future fiscal years in which research spending will be challenged. In addition, the late finalization of the FY 2003 budget will cause OMB to attempt to reprogram funds from those accounts with large cash balances going into FY 2004.

Ancillary effects of war on federal research spending

While Defense and Homeland Security R&D funding will tend to emphasize developmental investments, it will also tend to shift the focus of non-defense research funding agencies toward "defense" related justifications for their award decisions, and further reduce those agencies R&D market share. In FY 2003, the NSF, EPA, Interior, NASA, the Veterans Administration, Department of Commerce, USDA, Smithsonian, Department of Energy, NRC and Department of Transportation all lost R&D market share to Defense, Homeland Security, and HHS. War will also tend to increase the number and magnitude of member requests or earmarks for colleges and universities, the net effect being decreased success in fundamental competitive research programs, and increasing faculty focus on earmarks and other development related inquiries.

War is truly a time of technology development and integration, where investments in S&T tend to retract from the broad spectrum of academic curiosity, to focus on those areas where a fundamental breakthrough is essential to complete the integration of war-critical technology.

John O'Neil serves as the Director, Federal Agency Relations, Office of the Vice Provost of Research, Virginia Tech

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1 American Association for the Advancement of Science (AAAS) "Funding Update – February 25, 2003"

2 Department of Defense "National Defense Budget Estimates for FY 2003" Office of the Undersecretary of Defense (Controller), March 2002 [exludes FY 2003 supplemental appropriations]

3 Office of Homeland Security, "National Strategy for Homeland Security" July 2002, p.65

4 *ibid.*

5 President's FY 2004 Budget, OMB Summary Table S-2 "Budget Summary by Category"

6 White House Press Briefing #20030325-2 "President Submits Wartime Budget"

Bioterrorism and University Research

by Mark Parenti

Congress drafted university research compliance officers to fight in the war on terrorism when it passed the Public Health Security and Bioterrorism Preparedness and Response Act last summer. Those compliance officers joined a battle that was underway: 5 people had already died from letters containing anthrax and the government was in the process of decontaminating Senate office buildings and post offices at a cost of $3 billion. Little has been spared in this effort. For example, funding to combat bioterrorism has increased from $503 million in 2001 to $2.9 billion last year. And universities are at the center of this conflict, as discovered by University of Connecticut graduate student Tomas Foral, who was charged with illegally possessing anthrax and ordered to perform 96 hours of community service, as well as Dr. Thomas C. Butler, chief of the infectious diseases department at Texas Tech University, who is charged with lying to investigators about the fate of 30 vials of bubonic-plague bacteria.

Central to the new bioterrorism law is the regulation of a number of biological agents and toxins that are often collectively referred to as "select agents." These agents include such well-known scourges to mankind as ebola, small pox, and anthrax. These dangerous materials were first regulated by the federal government in 1996 under the Antiterrorism and Effective Death Penalty Act of 1996, which placed restrictions on the transfer of these agents and imposed record-keeping requirements on institutions that shipped or received them. After the terrorist attack on September 11th, Congress passed the USA PATRIOT Act on October 26, 2001 that placed restrictions on who could possess select agents and required that possession of such agents be reasonably justified by a peaceful purpose. No longer could convicted felons, illegal aliens, individuals that had been committed to mental institutions, dishonorably discharged veterans, and nationals from countries that are found to support international terrorism, among others, possess these dangerous materials or could anyone hoard such deadly viruses. Congress backed up the law with criminal penalties of up to ten years in jail for violators.

The bioterrorism act expands on these previous laws to include the regulation of not just agents that harm humans, but also those whose devastating effects are limited only to livestock and plants. It also requires among other things that entities that wish to continue possessing select agents register with the federal government, submit the names of their affected employees for a security background check, and complete a raft of paperwork, including plans for safety, security, and emergency response and detailed inventories of the agents. Like the PATRIOT Act, this law also subjects wrongdoers to criminal penalties.

Surprisingly, for all of the attention that this new law has received, its impact in absolute numbers is relatively small. The Centers for Disease Control (CDC), the federal agency charged with regulating agents that affect humans, (the USDA enforces the law's provisions relating to livestock and plant diseases), sent out notices to over 200,000 individuals and entities asking them if they possessed select agents. It received over 142,000 replies. Of those who replied, the CDC believes that only 817 laboratories are required to comply with the Act, 285 of which are operated by universities.

Of course, for those 285 university-operated labs the bioterrorism law is a very big deal. It should be: scientists, graduate students, laboratory technicians, and perhaps even administrators could all face considerable prison terms for failure to comply with its mandates. With important parts of the law having already taken effect on February 7, 2003, any prudent university has by now canvassed all of its researchers to determine if they possess select agents, and if they do, should be well on its way to compliance by now. (If you are at an institution that may have select agents that has not made a comprehensive assessment to determine if it possesses these materials, run, don't walk, to your university attorney's office and have him explain the law and its regulations and develop an inventory and, if necessary, a compliance plan.)

More than likely, if your university has select agents, the law will only impact a very small number of individuals, even at the largest of research universities. Despite the small numbers involved, it is very important to approach select agent compliance by working together with all the affected parts of the university, not just the researchers. Consider establishing a committee or task force that includes researchers, graduate student representatives, campus police, biosafety officers, physical plant administrators, attorneys, and even public relations officers. While researchers may be very knowledgeable about the particular strains of viruses they work with, they are unlikely to possess the necessary expertise in the law, physical security, and emergency response and may not consider the perspectives of graduate students and physical plant workers.

Given the expense and potential liability now associated with research involving these dangerous biological agents and toxins, it is natural that some universities will choose to discontinue marginal or unproductive research programs. It has even been suggested that the bioterrorism law is the first step in requiring that select agent research be performed only in federally owned laboratories. However, today university labs have an extremely important role to play not only in safeguarding these materials to prevent future terrorist attacks, but also in developing cures to stop deadly outbreaks of disease, whether they occur naturally or are the result of evil acts. Like it or not, we are all in this fight together and the health and safety of our families, friends, and neighbors depend on the hard work of university research compliance officers in preventing bioterrorism.

For more information on the regulation of select agents, visit the CDC's select agent program website at http://www.cdc.gov/od/sap/.

Mark Parenti is a Senior Staff Attorney with the Office of General Counsel of the Texas A&M University System in College Station, Texas and serves as the legal advisor to the Texas A&M University PATRIOT Act Taskforce.

The President's Corner continued from page 2

professional development and knowledge exchange for research administration professionals." We want NCURA to be the best it can be so that it can truly support the professional development needs of our community.

The Board also called for NCURA to continue its innovative programming, its utilization of alternate means of delivering professional development, its assessment of the needs of the membership and evaluation of its offerings, and the strengthening of the neighborhoods and the overall functionality of the NCURA website. In regards to the neighborhoods, NCURA has taken a big step to ensure that they continue as a vital part of our programming. The Board has established a program committee to oversee the continued development of the neighborhoods and to look for new and better ways for the neighborhoods to serve the membership and to draw more members to the neighborhoods.

We want to see NCURA as the primary creator and knowledge-broker for research administration resources and information. This will make our community strong.

Leadership

Any community or family needs strong leaders for the present and needs to develop them for the future. This year NCURA begins its Leadership Development Institute (LDI). The LDI, which had been in planning for a number of years, became a reality on March 27 when the doors to its NCURA-designed "Virtual Classroom" opened to admit the Class of 2003. Seventeen members are now part of the 2003 Leadership Development Institute. They are being mentored by seventeen of NCURA's senior leaders and as the program unfolds, we can see that the Institute is going to be beneficial to both students and mentors alike. In addition to the seventeen member-students, two NCURA staff, Assistant Executive Director, Marc Schiffman and Project Manager, Joshua Lessin, applied and were accepted into the Institute. NCURA's Executive Director, Kathleen Larmett, requested mentors for her staff from outside the NCURA community and, with the help of LDI facilitator, Annette Petrick, secured the help of Mr. Jan Wiseman, Executive Director of the Greater Salisbury Committee, Inc., and Mr. Rob Bergeron, Director of Member Services for the National Society of Professional Engineers, to be mentors for Marc and Josh. With this additional component, not only will NCURA's staff have mentors throughout their LDI experience, NCURA will be showing (and leading) other organizations how to go about establishing a leadership program for their membership. And, while NCURA stays ahead of the curve with innovative programs, such as LDI, it will be growing the leaders of NCURA for tomorrow.

Communication

Another essential element in establishing community and in having a healthy family is communication. One of our perennial challenges in NCURA is communication… how to keep membership informed and involved, while at the same time not surpassing a limit of saturation that results in a shutdown on the receiving end. Likewise, since we are such a dynamic organization, communications between the national operation and the regional operations is also critical to effectiveness and vitality. Over the past year, under the direction of John Case, the Board has taken a serious look at how we can improve communications.

For instance, we have been seeking improvements in our e-News. The Board has asked the NCURA Professional Development Committee (PDC) to look at ways e-News might become a more effective communications tool, to get key information to members faster and more effectively – i.e., not only just the news but analysis too. We've made the e-News editor an "official" NCURA position, and now the e-News editor joins the editors of the Newsletter and RMR on the PDC.

We've also been wrestling with the best way for regions and the national organization to share information. To this end, we have implemented new procedures for getting the minutes of Board meetings into the hands of our regional leadership. Likewise, we are asking regions to share ideas and successes with the national organization. There's no better testing ground for experimenting with new program ideas and session styles than regional meetings. Many of our best workshops, in fact, started at the regional level.

Helping Out

The members of a healthy family or community fundamentally are not in competition with one another. It's like John Forbes Nash's insight that eventually led to his Nobel Prize in economics (at least as portrayed in the movie "A Beautiful Mind") – an individual isn't best served by seeking one's own interests at the exclusion of others, but by pursuing the interest that meshes one's own with one's community. I know I didn't say that exactly right, but the idea is there. While there is friendly competition within a family, the family works best when it works together.

The amazing thing about NCURA is that technically we are all competitors with one another. We are all out competing for the same grant money, the same attention from the federal agencies, the same licensing opportunities with companies. But I don't ever recall a situation in which I felt that competition influencing professional programs or personal networking in NCURA. We share with one another the things we each need to know in order to do and be our best. We are made better by giving to others what they need.

This holds true at the national and regional levels as well. In our NCURA community, both the national and regional organizations are necessary. To a certain extent they do compete for member's time and money, but never to the extent that one will choose one interest over another. We know that regional operations don't have an infrastructure (beyond the limited assistance a regional officer receives from her or his campus) – regions have to rely totally on the ability of their leadership to eke out a little free time from their own jobs to run the region.

In response to this need, the Board of Directors in January voted, at the request of our Executive Director, to allow our Executive Director, Kathleen Larmett, to draw up a plan that would dedicate a specific allocation of staff time, year-round, for regional assistance. NCURA's current Regional Liaison, Tara Bishop, Associate Executive Director, would take this new role. I'm sure this will be a great benefit for the regions.

Growth

Finally, a community needs to grow, to be revitalized continually by new people with new thoughts and new talents. NCURA is very concerned about attracting and retaining new members… this is truly our lifeblood! This becomes not only a mission for national leadership but for all NCURA members. Encouraging new membership within your office or institution, among those you meet at other professional development venues, or others at institutions in your region is one of the most important things an NCURA member can do to ensure the continued success of our "community." Once we have new members, we nurture them and help them in their jobs through our everyday networking. This networking plays a big part in keeping new members as continuing members.

Final Thoughts

In difficult financial times the first thing that frequently goes is travel money and professional development. In the field of research administration, this could have dire consequences for the continued success of our institutions' sponsored programs. We all need to be prepared to assure our own campus leadership that one of the keys to success in grants and contracts is keeping up with the opportunities, priorities, and rules of our sponsors and to do this we need NCURA.

And this ultimately is why we are most like families and communities – we simply need each other!

Bob Killoren is the NCURA President and serves as the Assistant Vice President for Research, Pennsylvania State University.

NCURA 2003 Calendar of Education and Events

May 4 - 7, 2003
Region III Spring Meeting
Sandestin, FL

May 13, 2003
Washington Update
Interactive Learning Series

May 14 - 16, 2003
FULL
Fundamentals of Sponsored
Project Administration
Albuquerque, NM

May 18 - 21, 2003
Region I Spring Meeting
Portsmouth, NH

May 18 - 21, 2003
Region V Spring Meeting
Dallas, TX

June 24, 2003
NCURA 2003 Video
Workshop Series
Part III of a IV Part Series
Exploring the Lifecycle of
Costs: Budget to Audit
Broadcast live from Washington, DC

August 17 - 19, 2003
University/Industry 2003:
Enhancing the Partnership
in a Global Economy
San Francisco, CA

September 16, 2003
NCURA 2003 Video
Workshop Series
Part IV of a IV Part Series
Primer on Intellectual Property
Broadcast live from Washington, DC

November 2, 2003
Workshop 2003
Washington, DC

November 2 - 5, 2003
45th Annual Meeting
Washington, DC

NEWSLETTER DEADLINES:

July/August 2003 Issue

Submission of Articles: June 27, 2003
Space Reservation for Ads: June 27, 2003
Submission of Display Ads: July 7, 2003

MILESTONES

SONDRA FERSTL, Associate Dean for Research at Texas Woman's University retired from her position as of January 31, 2003. Sondra served TWU in that capacity for fifteen years, arriving previously from a distinguished career at the University of North Texas.

JERRY FIFE, formerly, Director, Contract & Grant Accounting at Vanderbilt University has been promoted to Assistant Vice Chancellor for Research Finance. Jerry has been at Vanderbilt since 1999. Despite his new responsibilities he is firmly committed to his membership in NCURA's house band Soul Source and the No-Cost Extensions. Rock on Jerry!

CHRISTINE KATSAPIS, previously Assistant Director of the Office of Sponsored Programs at Gallaudet University, has been promoted to Director of the OSP. Christine has been at the university since 1998. Congratulations Christine!

TOM WILSON, previously Director, Sponsored Programs at Baylor College of Medicine has accepted the position of Director, Grants and Contracts, The University of Texas MD Anderson Cancer Center. Tom's commute hasn't changed though, as the offices are located across the street from one another!

MARC SCHIFFMAN, formerly NCURA Meetings Manager, has been promoted to Assistant Executive Director. Marc has been with NCURA since 1998. Congratulations on your new position!

Another NCURA national office staff, **AMANI SURGES,** has recently been promoted to Meetings and Staff Assistant. Be sure to congratulate her when you see her at your next NCURA meeting!

Congratulations and best of luck to all of you!

The National Council of University Research Administrators (NCURA), founded in 1959, is an organization of individuals with professional interest in problems and policies relating to the administration of research, education and training activities at colleges and universities.

NCURA Neighborhood On Campus

Looking for Interested Contributors

On Campus is designed to give a more personal account of day-to-day activities, issues, and obstacles in research administration. ***On Campus*** is an online resource that is archived and accessible to all members.

On Campus, is looking for members who are interested in participating in a quick, informative e-mail interview to use as an online resource in the Libraries.

On Campus poses and shares the answers to questions such as:

- How do you effectively communicate policy changes and other information to the departments?
- What are your top five resources without which you could not successfully do your job?
- What creative activities or events does your office sponsor that motivate and reach out to your faculty?

We'd love to hear from you! This is a great way to contribute to your community, from the convenience of your office, on a topic you are expert on...what is working for you at your institution. To access this resource or for more information about ***On Campus***, please contact Joshua Lessin at lessin@ncura.edu. Phone: 202.466.3894. Or, visit us at www.ncura.edu and click on Neighborhoods.

EXCERPT

from a recent interview

Michelle Vazin: Senior Manager of the Office of Contract and Grant Accounting, Vanderbilt University

Q *Do you have any recommendations or experience to share with regard to providing training to deparments?*

A *Training is always an issue we struggle with in the world of sponsored programs. Who, how much, when and in what format? These are the tough questions institutions must address on an ongoing basis. The sponsored programs area is getting increasingly more complex, heavily regulated and harder to navigate. At Vanderbilt, we are currently looking into our training needs and trying to assess what is the best solution. Due to the complexity of the sponsored program world, it will probably take the development of several approaches depending on the subject matter and audience. What would work for a departmental administrator, in many cases, would not be appropriate for a faculty member. For us, one of the biggest hurdles is carving time out of the more experienced staff member's day for them to assist in the development and delivery of viable training programs on campus. This past spring, we looked outside of Vanderbilt and brought NCURA's Fundamentals Seminar to campus. We have received very positive feedback about this course and would consider doing it again.*

National Council of University Research Administrators
Established 1959
NCURA

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